

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAH NATOLI and FELICIA COUTO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

-against-

HYGEIA INTEGRATED HEALTH LLC, MY
THERAPIST LCSW PLLC, DENISE
FOULKES, and MICHAEL HARGROVE,

Defendants.

ORDER

21 Civ. 2791 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

On November 16, 2021, this Court held a hearing with regard to a motion to withdraw from representation by Randy Kleinman, then-counsel for Plaintiff Felicia Couto. On November 18, 2021, this Court granted Kleinman's motion, directing Kleinman – as his last act of counsel – to serve a copy of the November 18 Order to Plaintiff Couto by mail and email. This order also directed Plaintiff Couto, or substitute counsel on her behalf, to attend a conference scheduled for December 16, 2021. The Court stated that it would dismiss Plaintiff Couto's claims for failure to prosecute and failure to obey the Court's orders if she or her substitute counsel did not attend. (Dkt. No. 24) On November 24, 2021, Kleinman filed a certificate of service, indicating that he had served the November 18 Order on Plaintiff Couto by mail and email. (Dkt. No. 25)

On December 16, 2021, Plaintiff Couto and substitute counsel failed to attend the scheduled conference. Therefore, pursuant to the Court's November 18 order, all claims in this action by Plaintiff Couto are hereby dismissed without prejudice.

The claims against Plaintiff Sarah Natoli have previously been dismissed because, following her passing, her counsel was unsuccessful in finding a representative of her estate to replace her. (Sept. 27, 2021 Order (Dkt. No. 18)) Since there are no remaining plaintiffs in this case, the Clerk of the Court is directed to terminate the case.

Dated: New York, New York
December 16, 2021

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style.

Paul G. Gardephe
United States District Judge